

REMARKS

I. Introduction

Claims 24-30 and 33 are pending. By this amendment, claims 24, 27 and 28 are amended to more particularly recite the features of the invention. Claims 1-23 and 31-32 are canceled without prejudice or disclaimer. New claim 33 is added. In view of the foregoing amendments and following remarks, Applicant respectfully submits that claims 24-30 and 33 are now in condition for allowance. A notice indicating the same is respectfully requested.

II. Specification

By this amendment, Applicant amends the specification to correct typographical errors. Specifically, Applicant amends paragraphs on pages 4 and 6 of the specification to correct inconsistent reference numerals recited therein.

III. Rejections under 35 U.S.C. § 102(b)

In the Office Action, claims 24-30 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,079,579 to De Cuyper. Claims 24 and 27 have been amended to more particularly recite the features of the present invention. Therefore, in view of the foregoing amendments and following remarks, Applicant respectfully submits that claims 24-30 are now in condition for allowance.

As noted in the instant disclosure, an important aspect of the instant invention is to provide an effective and economical method of securing an attachment object to a hollow plastic preform, and thus ultimately to a blow molded container formed therefrom. The disclosure states that

[a]ttachment objects, such as handles, may be secured to the preform or the container by molding the attachment object integrally with the preform or a portion of the preform, or by placing a separately formed attachment object in the blow mold in such a way that the attachment object is secured to the container body during blow molding.

(Page 1, lines 11-17). That is, the preform and the attachment object are adapted to be received in a blow mold together and blow molded into a container having the attachment object thereon.

Accordingly, amended claim 24 now recites that the “*preform assembly* is adapted to be received in a blow mold and blow molded into a container” (emphasis added). The preform assembly of claim 24 includes “a preform; and an attachment object,” the attachment object being “in abutting external engagement with a portion of said preform.” Claim 24, thus, requires that the preform assembly (i.e., the preform having the attachment object attached thereto) be adapted to be received in a blow mold and blow molded into a container.

De Cuyper, on the other hand, shows and discloses a preform 2 adapted for being subjected to blow molding into a container (*see, e.g.*, FIGS. 4-6; abstract; column 4, line 39). The preform 2 of De Cuyper includes an integral pouring spout 20 to reduce post-pour drip from the preform 2 (column 1, lines 33-68) and is additionally “provided with a cap 10 which *serves as a closure* for the liquid to be contained and as a security ring” (column 2, lines 29-31) (emphasis added). The Office Action refers to cap 10 of De Cuyper as an attachment object and, in turn, interprets the combination of preform 2 and cap 10 as being a “preform assembly” (Office Action, page 3, lines 3-12). As discussed above, however, claim 24 recites that the “*preform assembly* is adapted to be received in a blow mold and blow molded into a container” (emphasis added). The Applicant respectfully submits that the combination of preform 2 and cap 10 of De Cuyper, together, is not “adapted to be received in a blow mold and blow molded into a container” as required by the current invention. Although De Cuyper discloses that the cap 10 may be attached to preform 2, he fails to teach or suggest a preform assembly, including a preform and an attachment object, configured to be received in a blow mold and blow molded into a container, as recited in claim 24.

The Office Action further states that “the claimed aspect of the engagement being in such a way that interference between the ring and the portion of the preform prevents dislodgement or removal of the attachment object is directed to an intended use, and is therefore given little patentable weight” (Office Action, page 3, lines 21-15). The Applicant respectfully disagrees and submits that the foregoing recitation in claim 24 is a positively claimed feature of the invention that must be shown in or suggested by a purported prior art reference. Specifically, the

recitation sets forth the mechanical relationship between the portion of the preform and the ring of the attachment object. This is not merely an intended use and must be given patentable weight. For at least the foregoing reasons, claim 24 is submitted as being allowable. Claims 25 and 26 depend from claim 24 and are submitted as being allowable for at least the same reasons.

Amended claim 27 recites that the “hollow plastic preform, having said attachment object attached thereto, is adapted to be received in a blow mold and blow molded into a container.” For at least the same reasons cited above with regard to claim 24, the Applicant submits that claim 27 is also allowable. Claims 28 and 29 depend from claim 27 and are submitted as being allowable for at least the same reasons.

Amended claim 28 and added claim 33 additionally recite that the “attachment object is selected from the group consisting of a handle, a label and a jacket surrounding a body portion of the preform.” As noted above, however, the cap 10 disclosed by De Cuyper serves as a closure for the liquid to be contained and as a security ring (*see* column 2, lines 29-31). That is, the cap 10 cannot be properly construed as one of the attachment objects recited in claims 28 and 33. For the above reasons, Applicant submits that claims 28 and 33 are allowable over De Cuyper.

IV. Conclusion

Claims 24-30 and 33 are pending in the application. The Applicant respectfully submits that claims 24-30 and 33 are in condition for allowance and requests issuance of a Notice of Allowability indicating the same. If the Examiner believes, for any reason, that a personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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